

**REPORT/RECOMMENDATION TO THE BOARD OF SUPERVISORS
OF SAN BERNARDINO COUNTY
AND RECORD OF ACTION**

March 28, 2023

FROM

**GILBERT RAMOS, Director, Transitional Assistance Department
DIANA ALEXANDER, Assistant Executive Officer, Human Services**

SUBJECT

Non-Financial Memorandum of Understanding with Housing Authority of the County of San Bernardino for Data Sharing

RECOMMENDATION(S)

Approve a non-financial Memorandum of Understanding (**County Contract No. 23-256**), including a non-standard term, with the Housing Authority of the County of San Bernardino, to exchange information of mutual customers, for the period of April 1, 2023 through March 31, 2026.

(Presenter: Gilbert Ramos, Director, 388-0245)

COUNTY AND CHIEF EXECUTIVE OFFICER GOALS & OBJECTIVES

Promote the Countywide Vision.

Provide for the Safety, Health and Social Service Needs of County Residents.

Pursue County Goals and Objectives by Working with Other Agencies and Stakeholders.

FINANCIAL IMPACT

The recommended Memorandum of Understanding (MOU) is non-financial in nature and, as such, does not impact Discretionary General Funding (Net County Cost).

BACKGROUND INFORMATION

Under the terms of the recommended MOU, the Transitional Assistance Department (TAD) and the Housing Authority of the County of San Bernardino (HACSB) will share customer information in order to identify those who may benefit from, and be eligible for, both TAD and HACSB services. HACSB will provide a list of current customers to the Human Services Research, Outcomes and Quality Support (ROQS) Division. ROQS will analyze the list and run a query to identify mutual customers who may benefit from outreach by HACSB and/or TAD to maximize services to mutual customers.

The California Department of Social Services encourages counties to establish and/or expand the California Work Opportunity and Responsibility to Kids Family Stabilization (FS) Program by working with local service providers and other partners to maximize the success of the FS Program. HACSB assists individuals and families in need to achieve an enriched quality of life by providing housing opportunities and resources throughout the County.

Assembly Bill (AB) 74, effective January 1, 2014, implemented the FS Program to provide intensive case management and services to customers to ensure a basic level of stability within

**Non-Financial Memorandum of Understanding with Housing Authority
of the County of San Bernardino for Data Sharing
March 28, 2023**

a family prior to, or concurrently with, participation in Welfare-to-Work activities. Homelessness or imminent risk of homelessness is an identified situation or crisis as set forth in AB 74 under the FS Program. All customers participating in the FS Program are required to sign a written release authorizing the County to release to, or obtain from, other individuals or agencies information - such as Full Name, Date of Birth, Social Security Number - necessary for the administration of the program and/or customer's case, which can be shared through the recommended MOU.

The MOU with HACSB includes the following term that differs from the standard County contract terms:

The MOU between TAD and HACSB contains non-standard insurance provisions that require approval by the Board of Supervisors per County Policy 11-05. The non-standard term includes the following:

1. The MOU contains mutual indemnification and language that warrants that each entity has adequate coverage through their respective programs or resources to protect against liabilities arising out of the performance of the MOU.
 - The County standard contract does not include indemnification or defense by the County of a Contractor.
 - Potential Impact: By agreeing to indemnify the HACSB, the County could be contractually waiving the protection of sovereign immunity. Claims that may otherwise be barred against the County, time limited, or expense limited could be brought against HACSB without such limitations and the County would be responsible to defend and reimburse HACSB for costs, expenses, and damages. HACSB agrees through the MOU to maintain insurance coverage deemed prudent and customary to protect against liabilities arising out of the performance of terms, conditions, or obligations of the MOU. Both County and HACSB agree through the MOU to indemnify each other from liability arising from the MOU. These terms are sufficient to mitigate risk to the County.

TAD recommends approval of this item, including the non-standard term, to assist potential TAD and HACSB customers who may benefit from, and be eligible for, both TAD and HACSB services pursuant to Assembly Bill (AB) 74.

PROCUREMENT

N/A

REVIEW BY OTHERS

This item has been reviewed by Human Services Contracts (Patty Steven, Contracts Manager, 388-0241) on January 27, 2023; County Counsel (Adam Ebright, Deputy County Counsel, 387-5455) on February 2, 2023; Risk Management (Victor Tordesillas, Director, 386-8623) on February 21, 2023; Finance (Paul Garcia, Administrative Analyst, 386-8392) on March 13, 2023; and County Finance and Administration (Cheryl Adams, Deputy Executive Officer, 388-0238) on March 13, 2023.

**Non-Financial Memorandum of Understanding with Housing Authority
of the County of San Bernardino for Data Sharing
March 28, 2023**

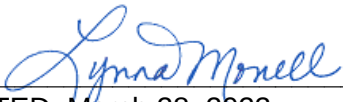
Record of Action of the Board of Supervisors
San Bernardino County

APPROVED (CONSENT CALENDAR)

Moved: Joe Baca, Jr. Seconded: Curt Hagman

Ayes: Col. Paul Cook (Ret.), Jesse Armendarez, Dawn Rowe, Curt Hagman, Joe Baca, Jr.

Lynna Monell, CLERK OF THE BOARD

BY 
DATED: March 28, 2023



cc: TAD - Greswit w/agree
Contractor - C/O TAD w/agree
File - w/agree

CCM 04/10/2023